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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

No. CR 07-00212 WHA-001

14 Plaintiff,

NOTICE OF VOLUNTARY DISMISSAL
OF PENDING MOTION UNDER 28 U.S.C.
§ 2255

15 v.

16 JOSE ISMAEL SERRANO,

Court: Hon. William H. Alsup

17 Defendant.

19 **NOTICE OF VOLUNTARY DISMISSAL**

20 Petitioner Jose Ismael Serrano, through undersigned counsel, hereby gives notice of
21 voluntary dismissal of his Motion to Vacate under 28 U.S.C. § 2255 filed on June 17, 2016 (Dkt.
22 171.) *See* Fed. R. Civ. P. 41(a)(1)(A)(i); Rules Governing Section 2255 Cases, Rule 12 (stating
23 that the Federal Rules of Civil Procedure may be applied in § 2255 proceedings). Petitioner no
24 longer seeks relief through section 2255. The government has not yet filed an answer to the
25 pending motion, and so Petitioner may voluntarily dismiss his Motion to Vacate pursuant to
26 Federal Rule of Civil Procedure 41(a)(1)(A)(i). *See* Fed R. Civ. P. 41(a)(1)(A)(i), 41(a)(1)(B);
27 Rules Governing Section 2255 Cases, Rule 12.
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3 Date: March 15, 2017

Respectfully submitted,

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5 STEVEN G. KALAR
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7 Federal Public Defender

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/s/
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